

Town of Sanford
Zoning Board of Appeals

The Sanford Zoning Board of Appeals held a meeting on Monday, January 11, 2010 at the Sanford Town Hall. The meeting was called to order at 7:00 P.M. by the Chief Code Enforcement Officer (CCEO), Shirley Sheesley.

Members Present:

Jane Bowker
Mark Patterson
James T. Wendel
Kimberly Stewart
Naila Aslam-Khan, OD
Kyle Landry

Also Present:

Shirley Sheesley, Chief Code Enforcement Officer
Jamie Cole, Code Enforcement Officer
Charles E. Ellis, Administrative Assistant

Shirley Sheesley commenced with the Pledge of Allegiance.

0. Suggestion with regard to the ZBA 2010 Calendar before voting on it.

0. Nomination for Chairperson.

0. Kim Stewart nominated Jane Bowker for Chairperson. Her nomination was seconded by Naila Aslam-Khan. No further nominations. Called for vote. All in favor (6).

As newly appointed Chairperson, Jane Bowker took over the meeting and immediately asked for nomination of Vice Chairperson.

0. Kim Stewart nominated Mark Patterson for Vice Chairperson. Her nomination was seconded by Naila Aslam-Khan. No further nominations. Called for acceptance followed by vote. All in favor (6).

0. Next order of business, approval of minutes from May 11, 2009, July 27, 2009 and December 28, 2009. May 11, 2009 motion to approve by Naila and seconded by Kyle. All in favor (4).

0. July 27, 2009 motion to approve by Mark and seconded by Kyle. All in favor (4).

0. December 28, 2009 motion to approve by Kim and seconded by Naila. All in favor (4).

0. Next item on the agenda, ZBA 2010 Schedule. With Labor Day (September 6, 2010) and Columbus Day (October 11, 2010) the Board voted to substitute the Holidays as follows:

Month of September to hold meetings on September 20th & 27th. Motion to accept by Mark and seconded by Jim. All in favor (6).

Month of October to hold meetings on October 18th & 25th. Motion to accept by Mark and seconded by Jim. All in favor (6).

Jane announced under new business, the Dimensional Variance Appeal of Lori & Gabe Nohr of 9 Gertrude Avenue in Springvale, Maine.

0. Conflict of Interest. Kyle Landry announced that he went to school with the appellant and therefore recused himself from the hearing.

0. Jane confirmed that the gentleman sitting in attendance was not the appellant, only a party of interest and a property abutter.

0. At 7:15 P.M., the appellant failed to show for the hearing. Shirley confirmed to the Chairperson that the appellant was mailed a copy of the agenda. The CCEO recommended two options.....to either table the hearing or to hear the case as presented by Codes.

0. Mark commented that he did not feel comfortable hearing the case without the appellant available to respond.

0. Jane commented to taking a procedure to possibly “dismiss” the case or to “table” the case.

0. Mark asked Shirley if she saw any problem with that. Shirley responded by stating the ZBA must meet to hear the case within 30 days of the appeal and 60 days to make a formal decision. The appeal was filed on December 15, 2009.

0. Mark made a motion to table the appeal until January 25, 2010 and instructed Codes to “call” the appellants to see if they wish to have the case heard without their presence. Motion was seconded by Kim. All in favor (5).

0. Kyle Landry rejoined the Board.

Jane inquired about the by-laws. Mark asked if the Board was still minus one Board member. Suggested all members call friends and try to recruit an individual.

Mark asked Jim if he could give brief recap on the suit filed against the Town by Global Tower. Short discussion as to the status.

Jane asked about the by-laws. Mark suggested that if the appellant did not want to go forth with the hearing on the 25th of January, then the Board could go over the by-laws at that time. A motion was made by Mark to table the by-laws for the 22nd of February if the 25th of January is for the appellant. Motion was seconded by Jim. All in favor (6)

A motion was made to adjourn by Jane Bower and seconded by Jim Wendel. Meeting adjourned at 7:24 P.M.

